

HAWAII CIVIL RIGHTS COMMISSION
STATE OF HAWAII

In the Matter of)	DR 93-010
)	
JEANETTE C. TAKAMURA, Director)	ORDER ASSIGNING PETITION
Executive Office on Aging)	TO HEARINGS EXAMINER AND
)	MAKING EXECUTIVE DIRECTOR
Petitioner,)	A PARTY RESPONDENT
)	
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)	
LINDA C. TSEU, Executive)	
Director, Hawaii Civil Rights)	
Commission; _____)	
)	
)	
Respondents.)	
)	
_____)	

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CIVIL RIGHTS COMMISSION
HONOLULU, HAWAII

ORDER ASSIGNING PETITION TO HEARINGS EXAMINER AND MAKING
EXECUTIVE DIRECTOR A PARTY RESPONDENT

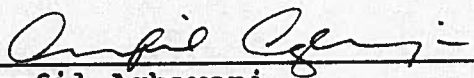
On September 14, 1993, the Director of the Executive Office on Aging filed a Petition for Declaratory Relief alleging certain unlawful discriminatory practices based upon disability under Chapter 489, HRS. No actual or potential respondents were named in the petition.

The Commission believes that resolution of whether the alleged actions constitute unlawful discriminatory practices under the Public Accommodations Law is desirable. Pursuant to H.A.R. § 12-46-63(b)(3), the Commission exercises its discretion to assign the Petition to the hearings examiner for further proceedings in accordance with subchapter 2, H.A.R. § 12-46-61 et seq.

The Commission believes that under the Hawaii Administrative Procedures Act, H.R.S. § 91-8, a declaratory ruling should be made in an adversarial proceeding where both sides of an

issue are presented. In the further proceedings, the Petitioner must file an Amended Petition naming a Respondent or Respondents representing the interests of nursing facilities. Pursuant to H.A.R. § 12-46-64, the Executive Director is made a party Respondent to the proceedings, and Petitioner must serve a copy of the Petition upon the Executive Director. The Commission anticipates that the proceedings will be conducted as fairly and expeditiously as possible affording all parties due process.

DATED: Honolulu, Hawaii 9/21/93



Amefil Agbayani
Chairperson, Hawaii Civil Rights
Commission